

Serial No.: 10/003,581
Group Art Unit: 2167

REMARKS

The Examiner indicated that the Final Office Action mailed November 9, 2004, is responsive to the Amendments filed on September 10, 2004. It is respectfully submitted that the Amendments were filed on July 28, 2004, in response to the April 28, 2004, Office Action, as documented in the History File and Image File Wrapper on the USPTO private PAIR system for this application. Applicants' attorney also received an Auto-reply Facsimile acknowledging receipt of the Amendments on July 28, 2004, and enclose a copy for the record.

Allowable Subject Matter

The Examiner stated that Claims 8-12 are allowed. Applicants appreciate the Examiner's diligence in allowing claims 8-12.

The Examiner also stated that there is allowable subject matter in claims 5 and 13 because:

"Claims 2-5, 7, 16-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

Applicants have amended base claim 1 to include the allowable subject matter from claim 5, and have canceled claim 5 without prejudice. Claim 7 has been amended to depend from claim 1 because of the cancellation of claim 5 from which it previously depended.

Applicants have also amended base claim 13 to include allowable subject matter from claims 16 and 17, and have canceled claim 17 without prejudice. Claim 16 has been amended since a portion of the allowable subject matter therein has been moved to claim 13. No new matter has been added.

Miscellaneous

The following entries appear in the File History of the USPTO private PAIR system for this application and are erroneous:

11-14-2001: PGPubs NonPub Request

09-23-2004: Rescind Nonpublication Request for Pre Grant Publication

09-23-2004: PBPubs early publication request

Serial No.: 10/003,581
Group Art Unit: 2167

Applicants state that no such documents were ever filed and respectfully request correction of the File History by deletion of the above entries.

Conclusion

In view of the above, it is submitted that the claims are in condition for allowance and reconsideration of the rejections is respectfully requested. Allowance of claims 1-4, 6-16, and 18-19 at an early date is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including any extension of time fees, to Deposit Account No. 50-0374 and please credit any excess fees to such deposit account.

Respectfully submitted,



Mikio Ishimaru
Registration No. 27,449

The Law Offices of Mikio Ishimaru
1110 Sunnyvale-Saratoga Rd., Suite A1
Sunnyvale, CA 94087
Telephone: (408) 738-0592
Fax: (408) 738-0881
Date: January 10, 2005